

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F043983 People v. Barajas

The judgment is affirmed. The matter is remanded to the trial court for resentencing and, accordingly, to issue a new abstract of judgment. Cornell, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045536 Palmer v. Bear Valley Springs Association

The order is reversed. Appellant is awarded costs on appeal. Buckley, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045183 Palmer v. Bear Valley Springs Association

The judgment is reversed. Costs are awarded to appellant. Buckley, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044649 People v. Pena

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F044749 People v. Baker

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F043287 **People v. Chao**
F043444

The judgment is reversed in part. Should the prosecutor wish to retry the prior strike allegation, he or she must set the matter for hearing within 60 days of filing of the remittitur. If the prosecutor fails to do so, the trial court shall resentence appellant consistent with this opinion. Any term imposed on count two is to be stayed pursuant to section 654. In any event, the convictions on all three counts are affirmed. The restitution fine of \$200 in case No. F043444 is ordered stricken. Wiseman, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046749 **Estate of Michael Stephen Roggero, Deceased**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F046216 **In re Ruben T. Jr., a Minor**

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

F044215 **People v. Medina**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F043085 People v. Zamora

The judgment of conviction on count 1 and sentence of life in prison without the possibility of parole are affirmed. The remainder of the sentence should be vacated and the matter remanded to the trial court for resentencing in accordance with the views expressed in this opinion. The judgment on count 2 is reversed for the reasons stated. Ardaiz, P.J.

We concur: Buckley, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043865 People v. Hawkins

The judgment is affirmed. Wiseman, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[CERTIFIED FOR PUBLICATION]

F043760 Tavares et al. v. Varain et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.